IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMM. FOR JUDGMENT NO.1102 OF 2003
IN
SUMMARY SUIT NO.2030 OF 2001

Cinecita Comoptronics Industries P.Ltd..Plaintiff

Vs.

Shailesh Parab ..Defendant

Mr.K.K.Shroff i/b Jayesh Desai for the plaintiff

Mr.Himanshu Kode for the defendant

CORAM : S.U.KAMDAR, J

DATED : 23RD AUGUST, 2005

P.C.:

. The present summons for judgment is filed on the basis of recovery of loan lent and advanced to the defendants. Reliance is placed on Ex.A. Standard terms and conditions for loan lent and advanced to the employees. The said document does not show any amount due and payable by the defendant to the plaintiffs. Plaintiffs relies on vouchers on which payments are made. Such vouchers cannot be relied upon. In view thereof, suit is not maintainable. Unconditional leave to defend is

granted. Suit is transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.